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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, )  
09 Plaintiff, ) CASE NO. MJ 18-010  
10 v. )  
11 ANTONIO P. SMITH ) DETENTION ORDER  
12 Defendant. )  
13 \_\_\_\_\_ )

14 Offense charged: Felon in Possession of Ammunition

15 Date of Detention Hearing: January 10, 2018.

16 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
17 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
18 that no condition or combination of conditions which defendant can meet will reasonably assure  
19 the appearance of defendant as required and the safety of other persons and the community.

20 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

21 1. Defendant was convicted in the King County Superior Court of the felony  
22 offense of Burglary in the Second Degree on or about December 12, 2003. He is alleged to be

01 a prohibited person in possession of ammunition following an interaction with an employee of  
02 Wade's Eastside Guns, a retail store and Federal Firearms Licensee in which he is alleged to  
03 have asked to purchase a part for a Glock pistol that would allow for automatic fire.

04 2. Defendant has a significant history of mental illness, including a number of  
05 involuntary commitments. He has been terminated from the residence overseen by Sound  
06 Mental Health and does not have an alternative residential release plan. He has been found  
07 incompetent to stand trial in a number of state court proceedings. Pretrial Services advises that  
08 individuals with diminished mental capacity are not considered viable location monitoring  
09 participants.

10 3. Defendant poses a risk of nonappearance based on lack of release address, a  
11 history of mental health issues and a history of failing to appear. Defendant poses a risk of  
12 danger based on the nature of the offense and criminal history.

13 4. There does not appear to be any condition or combination of conditions that will  
14 reasonably assure the defendant's appearance at future Court hearings while addressing the  
15 danger to other persons or the community.

16 It is therefore ORDERED:

17 1. Defendant shall be detained pending trial, and committed to the custody of the Attorney  
18 General for confinement in a correction facility separate, to the extent practicable, from  
19 persons awaiting or serving sentences or being held in custody pending appeal;

20 2. Defendant shall be afforded reasonable opportunity for private consultation with counsel;

21 3. On order of the United States or on request of an attorney for the Government, the person  
22 in charge of the corrections facility in which defendant is confined shall deliver the

01 defendant to a United States Marshal for the purpose of an appearance in connection with a  
02 court proceeding; and

- 03 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for  
04 the defendant, to the United States Marshal, and to the United State Probation Services  
05 Officer.

06 DATED this 10th day of January, 2018.

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09 Mary Alice Theiler  
United States Magistrate Judge